

1728



A Full and Exact
RELATION
OF THE
DUEL
FOUGHT

In Hyde-Park on Saturday, November 15. 1712.

Between His GRACE
JAMES, Duke of Hamilton,
And the Right Honourable
CHARLES, Lord Mohun.



Библиотека

RELATION

TO THE

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ARMES OF THE HOUSE OF COMMONS.

AND THE RIGHTS OF COMMONS.

CHARTER OF THE HOUSE OF COMMONS.

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A Full and Exact RELATION OF THE DUEL FOUGHT

In Hyde-Park, on Saturday, November 15. 1712.

Between His GRACE
JAMES, Duke of Hamilton, *R*
(S.) 4th D. & H.
And the Right Honourable
CHARLES, Lord *Mohun*.

In a Letter to a Member of Parliament,

LONDON:

Printed for E. Curll, at the Dial and Bible
against St. Dunstan's Church in Fleetstreet. 1713.

Where may be had Mr. Thornbill's Tryal for
the Murther of Sir Cholmley Deering. Pr. 2 d.



A

LETTER TO

* * * * *

SIR,

I Cannot blame your Curiosity in enquiring after the Particulars of a Story which has made so much Noise, and prov'd so Fatal to Two Peers of the Kingdom; and therefore in Compliance with your Desire, have made it my

A 2 Busines

Business to get the best Information I could, both of the Grounds and Management of the Quarrel.

The most probable Occasion of the Difference between the Duke of *Hamilton* and my Lord *Mohun* was upon this Account, The Duke of *Hamilton* Married *Anne*, the Daughter of the late Lord *Gerard* of *Bromley*, an Heiress of a very great Fortune; my Lady *Gerard*, to prevent all future Contests and Disputes at Law, oblig'd the Duke upon his Marriage to give her a Bond of 10000*l.* as a Security for ~~not calling any Matters in Question relating to any Estate he might pretend to lay claim to by Right of his Wife.~~ This

This Lady *Gerard* was Sister to *Brandon*, late Earl of *Macclesfield*; (my Lord *Mohun* Married the Daughter of the Lady *Charlotte Orbey*, another Sister of the said Earl of *Macclesfield*,) who at his Decease made my Lord *Mohun* his Sole Heir and Executor.

Upon which the Duke of *Hamilton* thinking himself injured by the conveying away an Estate of about 5000*l. per Annum*, which he was inform'd belong'd to him by Right of Marriage, chose rather to forfeit his Bond of 10000*l.* than not to vindicate his just Claim to so considerable an Estate: In pursuance of this, he exhibited a Bill in *Chancery* against my Lord *Mohun*; the Cause has been depending about 13 Years, and was to have been

been brought to an Issue on the very Day upon which they fought.

The Cause being so near a Determination, on *Thursday*, the 13th Instant, the Duke and my Lord *Mohun* met at Mr. *Orlebar's*, a Master in *Chancery*, about their Law-Suit, where some Disputes arising, they came to such high Words, that the next Day my Lord *Mohun* sent a Challenge to his Grace by Major-General *Mackartney*, whom he had chose for his Second; his Lordship supp'd that Evening at the *Globe-Tavern* in the *Strand*, and from thence went to lye at the *Bagnio*, at both which Places he seem'd very Thoughtful, and under a deep Concern; he went to Bed, but ordered his Servants to fit up, and call him precisely at Six in the Morning.

On

On Friday Evening likewise at Eleven a Clock the Duke sent a Servant to Monsieur *Buissiere*, an Eminent Surgeon, desiring him to come to him ; Mr. *Buissiere* being in Bed, and indispos'd, enquired whether his Grace was ill ; the Servant said, he did not appear to be so ; whereupon Mr. *Buissiere* desired him to acquaint his Grace, that if there was any present Necessity he would come immediately, notwithstanding his Indisposition, otherwise he would attend his Grace in the Morning.

The Duke sent no other Message that Night, but early in the Morning a Gentleman from his Grace came to Mr. *Buissiere*, and told him his immediate Attendance was desired at Hyde-Park,

Park; Mr. *Buissiere* being in Bed, call'd up his Man, and ordered him to go along with the Gentleman, and faid he would soon follow himself.

The Duke had chose Colonel *Thomas Hamilton* for his Second, and was so impatient that he took up the Colonel from his own Lodgings, and they both went to *Hyde-Park* about Seven in the Morning, where they found my Lord *Mohun*, and Major-General *Mackartney*.

After some Words exchanged between them, both Principals and Seconds, at a distance from each other, immediately drew; the Two Lords after severall desperate Wounds both fell; in the mean while Major-General *Mackartney* having the better of Colonel *Hamilton*,

milton, whom he had wounded, told him, he was sensible his Life was in his Power, and desired him to yield, telling him that the Lords were grappling on the Ground, and it was high Time to save them, if possible ; and they both went accordingly.

My Lord Mohun seeing Major-Gen. Mackartney had Strength eno' left to take him by the Hand, bidding him *Farewel*, told him he was a Dead Man, and desired him to turn him on his Face that he might Die the more easily, which Major-General Mackartney did, and his Lordship expired soon after, his Body being taken Care of by his Servant.

The Duke likewise died of his Wounds as his Servants were car-

B tying

rying him to his Coach. Mr. *Buissiere* attended at his House, and grieved that he was so unfortunate not to be in a Condition to wait upon his Grace the Night before, when perhaps it might have been in his Power by due Information to have prevented the Effusion of so much Noble and Illustrious Blood.

Major-General *Mackartney* made off, and Colonel *Hamilton* went to the *Half-Moon* Tavern in *Cheapside*, where his Wounds were dress'd by Mr. *Woodward*, a Surgeon.

You may, Sir, be desirous to have an Account of these Two Families, which, as far as I am inform'd, is thus.

His

His Grace had been Gentleman of the Bed-Chamber to King Charles II. and Envoy - Extraordinary from that Prince to the Court of France. He was created Duke of Brandon by her Majesty in the Year 1711. Upon the Death of the late Earl Rivers he was constituted Master-General of her Majesty's Ordnance; and in a Chapter lately held at Windsor was elected Knight Companion of the most Noble Order of the Garter. He is succeeded in Honour and Estate by his Eldest Son, the Marquis of Clydsdale, an Infant of Twelve Years Old, who is with his Grandmother the Dutchess at her Palace of Hamilton in Scotland; and to the Comfort of the Family is a Young Prince of great Expectation. He has left behind him Two other Sons and a Daughter:

ter : I hear his Lady is now with Child, and within Two Months of her Time.

His Grace is universally lamented, because he was a Prince of unquestionable Bravery, and on all Occasions appear'd for the Honour of his Countrey, answerable to his high Birth and Dignity, being the First Prince of the Blood-Royal of Scotland, next to those of King James the Sixth's Line. His Affable and Courteous Temper, and other Noble Qualities, make his Loss so much the more bewail'd ; and particularly for the Affliction it brings upon his Family, and that Excellent and Religious Princess, his Mother, who has so long been the Ornament of her Countrey.

The

The Lord Mohun is also very much lamented, as being the last Male of his Family.

Now, considering the great Favours which Her Majesty has conferr'd upon the former, and how far the latter was Zealous for the Welfare of his Countrey, we cannot sufficiently bewail the unseasonable Rashness of Mistaken Honour.

The Case which I have thus particularly related has prov'd the most Fatal in its Consequences of any that ever happen'd in any Nation, that I have heard or read of, except one which I remember to have met with in an *Italian Author.*

Upon

Upon a Quarrel between Two Noblemen, Seconds being engag'd, and Time and Place appointed, the Second to One of them coming into the Field, found nobody there but his Friend's Principal ; afier they had waited some Time, for the rest, they Two agreed to decide the Quarrel, drew, and the Principal was kill'd ; his Friend came, and seeing his Principal Dead, engag'd likewise, and was soon dispatch'd by the same Hand ; at last his own Principal came, and the Second by that Time having reflected, that by engaging him in the Quarrel he had been the Cause of the Death of Two Persons, commanded him to draw in a Great Passion, and sent him hastyly after the Rest, and then to compleat the Business stabb'd himself.

Now,

Now, Sir, it is to be hoped that the Gentlemen of your House upon their Meeting will take some effectual Method to prevent this Ridiculous, as well as Pernicious, Custom of *Duelling*; I believe these Gentlemen, who were most against the *Bill* when it was last brought in, will change their Opinion upon this Accident, and be as hearty for it; and indeed it is a Scandal, that our Nation only has not made sufficient Provision against this Crime, but that we may have the Liberty of Killing one another, and yet be reckon'd good Subjects, and be as much commended for Destroying as Propagating one of our Species.

But

But, Sir, I shall not trouble you with any more Reflections of mine, but recommend some to you from a better Hand *; take it in that Fictitious Way in which the Author represents it as an Edict from *Pharamond*.

* *The Spectator.*

Pharamond's

of the King our Lord to the
Kingdom of France and to the
Kingdom of England.

Pharamond's Edict

AGAINST DUELS.

**Pharamond, King of the Gauls, to
all his Loving Subjects sendeth
Greeting.**

WHereas it has come to our Royal Notice and Observation, that in Contempt of all Laws, Divine and Human, it is of late become a Custom among the Nobility and Gentry of this our Kingdom, upon slight and trivial, as well as great and urgent, Provocations, to invite each

each other into the Field, there
 by their own Hands, and of their
 own Authority, to decide their
 Controversies by Combat, we
 have thought fit to take the said
 Custom into our Royal Con-
 sideration, and find, upon En-
 quiry into the usual Causes
 whereon such Fatal Decisions
 have arisen, that by this wicked
 Custom, maugre all the Precepts
 of our Holy Religion, and the
 Rules of Right Reason, the
 greatest Act of the Human Mind;
Forgiveness of Injuries is become
 vile and shameful, that the Rules
 of Good Society and Virtuous
 Conversation are hereby invert-
 ed; that the Loose, the Vain,
 and the Impudent, insult the
 Careful, the Discreet, and the
 Modest; that all Virtue is sup-
 press'd, and all Vice supported,
in

in the one Act of being capable
 to dare to the Death. We have
 also farther, with great Sorrow
 of Mind, observ'd that this dread-
 ful Action, by long Impunity,
 (our Royal Attention being em-
 ployed upon more general Con-
 cern,) is become Honourable,
 and the Refusal to engage in it
 Ignominious. In these our Roy-
 al Cares and Enquiries we are
 yet farther made to understand,
 that the Persons of most emi-
 nent Worth, and most Hopeful
 Abilities, accompanied with the
 strongest Passion for true Glo-
 ry, are such as are most liable to
 be involv'd in the Dangers aris-
 ing from this Licence. Now
 taking the said Premises into our
 serious Consideration, and well
 weighing that all such Emergen-
 cies, (wherein the Mind is incap-
 able

capable of commanding itself, and
 where the Injury is too sudden
 or too exquisite to be born,) are
 particularly provided for by
 Laws heretofore enacted ; and
 that the Qualities of less Inju-
 ries, like those of Ingratitude,
 are too nice and delicate to come
 under General Rules. We do re-
 solve to blot this Fashion, or
 Wantonness of Anger, out of
 the Minds of our Subjects, by
 our Royal Resolutions declar'd
 in the Edict, as follow,

No Person, who either Sends
 or Accepts a Challenge, or the
 Posterity of either, tho' no Death
 ensues thereupon, shall be, af-
 ter the Publication of this our
 Edict, capable of bearing Office
 in these our Dominions.

The

The Person who shall prove
 the sending or receiving a Challenge,
 shall receive, to his own
 Use and Property, with the whole
 Personal Estate of both Parties;
 and their Real Estate shall be
 immediately vested in the next
 Heir of the Offenders, in as
 Ample Manner as if the said
 Offenders were actually Deceived.

In Cases where the Laws
 (which we have already granted
 to our Subjects) admit of an
 Appeal for Blood, when the
 Criminal is condemned by the
 said Appeal, he shall not only
 suffer Death, but his whole
 Estate, Real, Mixed and Personal,
 shall from the Hour of his
 Death

' Death be vested in the next Heir
 ' of the Person whose Blood he
 ' spilt.

That it shall not hereafter be
 ' in our Royal Power, or that of
 ' our Successors, to pardon the
 ' said Offences, or restore them in
 ' their Estates, Honour, or Blood
 ' for ever.

*Given at our Court at Blois
 the 8th of February,
 420, in the Second
 Year of our Reign.*

If I hear any farther Particulars,
 or find myself mistaken in any
 Part of my Information, you may
 expect a more perfect Account,
 From

SIR,

Tours, &c.

FINIS.



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